

The opinion in support of the decision being entered today was *not* written for publication and is *not* binding precedent of the Board.

Paper No. 21

UNITED STATES PATENT AND TRADEMARK OFFICE

**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Ex parte KEIJI KITAGAWA et al

**Appeal No. 2002-0641
Application 09/407,069**

ORDER REMANDING TO EXAMINER

Appellants filed an Information Disclosure Statement (“IDS”) on July 23, 2002 (Paper No. 38) and a Supplemental IDS on August 14, 2002 (Paper No. 39). It is not apparent from the record that the examiner considered the Information Disclosure Statements that were submitted nor notified appellants in writing that they have been considered.

Accordingly, it is

ORDERED that the application be remanded to the examiner for the consideration of the IDS filed on July 23, 2002 and the Supplemental IDS filed on August 14, 2002, and any further action as may be appropriate.

Application No. 2002-0641
Serial No. 09/407,069

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the appeal (i.e., abandonment, issue, reopening prosecution).

**BOARD OF PATENT APPEALS
AND INTERFERENCES**

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